

PATENT COOPERATION TREATY

PCT/IL2004/000940

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)

(PCT Rule 44bis.1(c))

To:

FENSTER, Paul
FENSTER & COMPANY, INTELLECTUAL PROPERTY
2002 LTD.
P. O. BOX 10258
49002 PETACH TIKVA
ISRAEL

Date of mailing (day/month/year)

27 April 2006 (27.04.2006)

Applicant's or agent's file reference

091/04094

IMPORTANT NOTICE

International application No.

PCT/IL2004/000940 ✓

International filing date (day/month/year)

13 October 2004 (13.10.2004)

Priority date (day/month/year)

13 October 2003 (13.10.2003)

Applicant

VOLURINE ISRAEL LTD. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

40941
RECEIVED

Docketed By IR

US MAY 2006

To: ILK ☐ ME ☐
OK ☐ AL ☐
FENSTER & Co.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Simin Baharlou

Facsimile No. +41 22 740 14 35

Facsimile No. +41 22 338 71 30

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 291/04094	FOR FURTHER ACTION		See item 4 below
International application No. PCT/IL2004/000940	International filing date (day/month/year) 13 October 2004 (13.10.2004)	Priority date (day/month/year) 13 October 2003 (13.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant VOLURINE ISRAEL LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 23, Switzerland	Date of issuance of this report 18 April 2006 (18.04.2006)
Facsimile No. +41 22 740 14 35 Form PCT/IB/373 (January 2004)	Authorized officer Simin Baharlou Telephone No. +41 22 338 71 30

PATENT COOPERATION TREATY

REC'D 17 OCT 2005

From the
INTERNATIONAL SEARCHING AUTHORITY

WIPO

PCT

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:
PAUL FENSTER
FENSTER & COMPANY
INTELLECTUAL PROPERTY 2002 LTD.
P.O. BOX 10256
PETACH TIKVA 49002
ISRAEL

Date of mailing
(day/month/year) **14 OCT 2005**

Applicant's or agent's file reference

FOR FURTHER ACTION

See paragraph 2 below

391A/4094

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/IL04/00940

13 October 2004 (13.10.2004)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): A61B 8/00 and US CL: 600/437

Applicant

VOLURINE ISRAEL LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Afta: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Date of completion of this opinion
17 September 2005 (17.09.2005)

Authorized officer
Ad. Irmann

Telephone No. 703-306-1148

Facsimile No. (703) 305-3238

Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/IL04/00940

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IL04/00940

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-73	YES
	Claims NONE	NO
Inventive step (IS)	Claims 1-73	YES
	Claims NONE	NO
Industrial applicability (IA)	Claims 1-73	YES
	Claims NONE	NO

2. Citations and explanations:

Claims 1-73 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest an ultrasonic measuring device and method comprising the steps or structures for transmitting a time-varying frequency modulated ultrasonic signal at a bladder; receiving a reflection of the signal from at least a portion of the bladder and extracting at least an indication of a distance from a frequency of the reflection.

Claims 1-73 meet the criteria set out in PCT Article 33(4), and thus meet industrial applicability because the subject matter claimed can be made or used in industry.